

STAFFORD COUNTY PLANNING COMMISSION

June 2, 2010

The meeting of the Stafford County Planning Commission of Wednesday, June 2, 2010, was called to order at 6:30 p.m. by Chairman Gordon Howard in the Board of Supervisors Chambers of the County Administrative Center.

MEMBERS PRESENT: Howard, Fields, Hazard, Mitchell, Kirkman and Hirons

MEMBERS ABSENT: Rhodes

STAFF PRESENT: Harvey, Roberts, Stinnette, Baker and Stepowany

DECLARATIONS OF DISQUALIFICATION

Mr. Howard: Are there any declarations of disqualification? Hearing none, we will move into the agenda. The first item on the agenda is titled under unfinished business and it's the Comprehensive Plan Compliance Review which is for Miracle Valley Lane Sanitary Sewer Extension. That was deferred to this meeting.

UNFINISHED BUSINESS

1. COM1000010; Comprehensive Plan Compliance Review - Miracle Valley Lane Sanitary Sewer Extension - A request for review to determine compliance with the Comprehensive Plan in accordance with Section 15.2-2232 of the Code of Virginia (1950) as amended, for the extension of gravity sanitary sewer outside of the Urban Services Area a length of 505 linear feet to serve two residences, located on the north side of Deacon Road and east side of Grafton Village Elementary School on Assessor's Parcels 54-132, 133A and 133B within the Falmouth Election District. **(Time Limit: July 4, 2010) (History - Deferred at May 19, 2010 Meeting to June 2, 2010 Meeting)**

Mr. Harvey: Yes, Mr. Chairman, at your desk you will find a letter from Mr. Allen from the Utilities Department that requests the extension that was discussed at the last meeting. Mr. Allen is here tonight if there are any additional questions that the Commission may have for him.

Mr. Howard: Thank you Mr. Harvey. I will bring it back to the Commission. Are there any questions from any Commissioner for Mr. Allen? Hearing none and seeing no gesture, I recall that we requested the letter. A letter is actually required because we are under the time restriction, I guess, or constraints based on the time.

Mr. Harvey: Correct Mr. Chairman.

Mr. Howard: So, Mrs. Roberts, this allows us to defer the matter further. In the letter it indicates that October 6 would be I guess the new deadline based on this letter; is that right?

Mrs. Roberts: Yes Mr. Chairman.

Mr. Howard: Okay, so, do we have a motion to defer? We don't want to defer it till October 6th.

Planning Commission Minutes
June 2, 2010

Mr. Hirons: Mr. Hirons, I didn't look at a calendar but I'm assuming October 6 is our first meeting in October?

Mr. Harvey: I can verify that. I will check my calendar.

Mr. Howard: I'm not sure that we want to go out that far.

Mr. Hirons: Otherwise, I would move to defer until October 6th.

Mr. Howard: Do we need to go that far?

Mr. Hirons: Why wouldn't we?

Mr. Howard: I guess we could. I guess the real issue is they're waiting for the Comprehensive Plan.

Mr. Hirons: Yeah, exactly. The expectation is because both the newly revised map, as well as the previous map, had this particular lot and the surrounding lots included in the USA. So, it just makes it a little easier and cleaner, I think, to wait for that. However, we can't ask the lot owners to wait forever; so, if we don't get our business done prior to October 6 on the Comp Plan, then we rightfully should bring this back up.

Mr. Howard: Okay.

Mr. Hirons: So I move to defer the Comprehensive Plan Compliance Review for Miracle Valley Lane Sanitary Sewer Extension till October 6.

Mr. Mitchell: I second Mr. Hirons motion.

Mr. Howard: Okay, is there any discussion?

Mr. Fields: Just a question. Mr. Hirons, is the outcome if the Comprehensive Plan is passed that has this in the Urban Services Area, is this compliance review then made moot by that, if it is in the Comprehensive Plan?

Mr. Hirons: That's what I've been advised by the Utilities Department, yes. Once it's within the USA through a passed approved Comp Plan then it becomes (inaudible)...

Mr. Fields: The neighborhood extension project which is...

Mr. Hirons: And the Utilities, I don't want to speak for them necessarily, but they're ready to move forward on the sewer extension as soon as they either get this approval or the Comp Plan. And really the timing... the Utilities Department probably wouldn't get to it before this time period anyway, so the timing is good. But, again, I would stress that we make sure we address this on our October 6 meeting or whatever meeting is immediately after or prior to that to ensure we address the concerns of the citizens.

Mr. Howard: October 6 is indeed the first meeting of October. Any other discussion? Hearing none, we'll call for the vote. All those in favor of Mr. Hirons' motion signify by saying aye.

Planning Commission Minutes
June 2, 2010

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Those opposed signify by saying nay. The motion passes 6-0 with one Commissioner not here. The next item on the agenda for this evening that was deferred to June 2nd is the Redevelopment Area Plans for Boswell's Corner. And I think there was some conversation that Mr. Hirons and Mr. Fields were working with staff on in terms of some of the renderings, I think, and looking back at previous plans.

2. Redevelopment Area Plans - Boswell's Corner, Courthouse Road, Southern Gateway and Falmouth Village (Falmouth Village in Committee - Peter Fields and Scott Hirons) **(Deferred to June 2, 2010)**

Mr. Harvey: Mr. Chairman, Mrs. Baker will give the Commission an update with regard to the materials and then be ready to answer any questions that you might have.

Mr. Howard: Excellent, thank you.

Mrs. Baker: Good evening. May I have the computer please? As you all recall, Brad Johnson was here to present the four Redevelopment Plans in March to the Planning Commission. There was also some discussion held in April and additional information brought forward to the Planning Commission. And at that time, a Subcommittee, Mr. Hirons and Mr. Fields, was established primarily to review the Falmouth Village and to discuss the Southern Gateway. The Subcommittee did recommend a meeting with some of the Board representatives, so they met with Supervisor Stimpson and Supervisor Crisp in early May. And the general consensus was that no further changes were recommended for the Southern Gateway. They did, however, talk about the Falmouth Village in a little further detail. I've got up on the screen the Master Plan for Falmouth Village. It's a little difficult to read but, as you can see, this is Route 17 where it comes into the intersection with Route 1 and then Butler Road extending to the east. And the primary discussion was on what we call the northeast quadrant and basically the scale and intensity of development here. So, the Subcommittee and the Supervisors discussed what could be done to, I guess, lessen the intensity within this area. Also, to make sure that the historical aspects of Falmouth Village were captured, better incorporate the recommendations of the 2002 Falmouth Plan and, well, I already said to depict the northeast quadrant at a smaller scale. The issue is that the consultants for the Master Plan have... that contract is basically closed so we no longer have those consultants on board. So it was discussed that we just make changes to the text that would hopefully incorporate what some of these concerns were. The Economic Development Department does want to point out that this plan was based on marketing analysis, with the focus on heritage tourism. So, any additional changes may require additional contracting work to be done by folks that know more about the economic development marketing aspect. In addition, it would be difficult to make any changes to the renderings without going back and rehiring consultants to do the work. So, in an attempt to address this, we looked at several pages within the Master Plan and we included these in your packages. And on page 14, it was adding

Planning Commission Minutes
June 2, 2010

language that just reiterated that the Falmouth Plan is not going away; it is still an element of the Comprehensive Plan and that that Plan will be followed. So we just added a note to that extent within the first paragraph. On page 34 we added a note, and this same note can be seen on the Master Development Plan page and it basically talks about the land use and the layouts are notational only and not intended to indicate the scale and intensity of development. That would come down the road when we have further plans that would implement this Plan such as Zoning Ordinance categories or overlay districts that would help to implement the Plan. Also, design guidelines that would be prepared in conjunction with this. And within these rendering pages part of the concern again was just the look of the buildings and the scale; so we did note on this page that they were just conceptual only. The buildings and the layouts are conceptual. And the same on page 37 which is just a breakdown of the prior page; we added a note here stating that it's conceptual. And then the last one will be on page 38. This rendering showed two- and three-story buildings and there was some discussion that the three-story may be too tall. And rather than changing the renderings at this point to go down to possibly two stories, we indicated that there would be architectural design guidelines approved by the Architectural Review Board before any new development would occur in accordance with the Plan. So those were the changes that we came up with in conjunction with the Economic Development staff and I will be happy to answer any questions.

Mr. Fields: Mr. Chairman?

Mr. Howard: Thank you Mrs. Baker. Mr. Fields?

Mr. Fields: You know, I'm really confused. I came away from the meeting understanding (a) that we agreed that the kinds of densities and scale of the northeast quadrant are depicted in these renderings were inappropriate for Falmouth and therefore we couldn't redo the renderings because the contract was closed. So we were going to leave the renderings out of the Falmouth component, not include them with notes but leave the renderings out altogether. That was my understanding of what we were going to do.

Mr. Howard: Mr. Hirons, you were there.

Mr. Hirons: Mr. Chair, I would agree actually. There was, oddly enough, a lot of agreement in that room I think and I think you're right. We did agree that the renderings should be just out of the plan altogether.

Mrs. Baker: Which renderings?

Mr. Howard: Yeah, which renderings?

Mr. Fields: All of these renderings...

Mr. Hirons: Most of them.

Mr. Fields: Yeah, depicting the northeast quadrant.

Mr. Hirons: For Falmouth. Only for the Falmouth plan.

Mr. Fields: Yeah, only for Falmouth Village.

Planning Commission Minutes
June 2, 2010

Mrs. Baker: I understand that but...

Mr. Fields: Right. Thank you, Mr. Hirons. I had hoped that my own wishful thinking hadn't created a delusional process in my brain in remembering that meeting, but I thought we said that we agreed that some type of... that obviously thinking about the future of that area and thinking about what we want it to look like and how it wants to be is nobody is arguing with that. We just felt that since this scale seemed inappropriate for Falmouth, there was really no purpose being served by offering a set of renderings that there was really no consensus that we would ever really want to see anything like that. And I find, even with notes... I thought we agreed that there was really no problem with having the Falmouth Village component of this plan simply be a text document.

Mr. Hirons: Yes, I agree.

Mr. Howard: None even the text? I'm not sure I understand.

Mr. Fields: No, the text here is fine; we have no problems with the text. We just said leave the pictures; it doesn't need any pictures. I don't know how more simply to say it.

Mr. Hirons: Yeah, for the most part I think we kind of agreed to a certain extent the pictures didn't really, by this time, match the text and there was a lot of agreement to the pictures don't provide a lot of help at this point.

Mrs. Baker: Okay. That was certainly a misunderstanding on our part. We attempted to keep the photos for some type of reference because there is going to be text throughout the document that is going to be referencing these different areas. I think we would have to go back and take another look at it before we just take the layouts and the maps out.

Mr. Howard: I would hope that you would want some boundaries identified, as one example.

Mr. Fields: Well, sure. Identifying a boundary for the redevelopment area, I don't think we have any problem with that. We have no problem with anything here other than depicting this kind of, as Mrs. Baker indicated, depicting this kind of scale and density in an area where that really isn't appropriate, I don't think, in the long run. And where though there was a contract... being in this process from the start, there was a desire to have this, remember, the original contract for the redevelopment areas was Boswell's Corner and the Courthouse. It sort of evolved that possibly the Southern Gateway and possibly Falmouth Village should be a part of that; there should be four areas for the RDA's, not two. But originally, correct me if I'm wrong Mr. Harvey and Mrs. Baker, but originally the original RDA concept was based on Boswell's Corner and the Courthouse; is that correct? Southern Gateway and Falmouth Village were added later at the request of the then Falmouth Supervisor primarily. The contract, I was in some of these meetings with the architect, and really their questions regarding all of this, but specifically Falmouth Village, I tried to articulate what we articulated at the meeting, and I think Mr. Hirons and I and Mr. Crisp and Ms. Stimpson all said that Falmouth Village is a very unique and special place and its trajectory no question that we want to see a lot of development there. Nobody argues with that. Nobody would say that the status quo of how Falmouth looks, particularly north of 1 there in that stretch, is a paradigm of what we want Stafford to be, but neither is this really. We felt there was a process there and I tried to articulate that. Ultimately, the architect, the people who did this contract, basically were in a meeting and basically said to me, and I'm really being very truthful here, they said well our contract calls for us to produce a set of renderings for Falmouth Village. So, it was really irrelevant to them what we thought the future of Falmouth Village was. Their contract required

Planning Commission Minutes
June 2, 2010

them to complete a certain task which included a set of renderings here. So, we've got a set of renderings. They were never really organically a part of the discussion for Falmouth Village and, so, I don't see any problem at all; you set a boundary for the redevelopment area and then all of this text references not only the Falmouth plan but some other very, very good ideas and concepts. I think we just felt that the physical shape of how this occurs, certainly in Falmouth Village, is going to be something that is not easy necessarily just to draw in one broad brush of a master plan. It's going to occur in much smaller increments over time under these very, very, I think, visionary guidelines of both the Falmouth plan and the Architectural Review Board. You know, you don't really need to draw pictures if you have the right set of parameters. Or, if you do need to draw pictures, we can wait till some later date when we have the funding to contract to draw better pictures. But I think these pictures are destructive to the goal that we all, I think that the Falmouth Supervisors and Planning Commissioners and the George Washington Planning Commissioners and Supervisors were in agreement to. So, you don't think you can just leave out the pictures and have the text? That's really what we were getting at.

Mrs. Baker: We'll have to go back and talk that over. I apologize; Mr. Johnson's not here tonight, he's sick. But I think before we agree to that we need to have discussions with the Economic Development folks.

Mr. Fields: Alright.

Mr. Howard: That makes sense because you don't know what the proposed benefit to the County was with the current renderings. I think the text... it doesn't sound like there's argument or discussion about the text. It sounds like there's a desire by both Supervisors and both Commissioners that the Falmouth plan should remain in the Comprehensive Plan and the plan to restore it to its historical character, which is denoted several times within the text, is something you desire to leave in the Comprehensive Plan, not the renderings.

Mr. Fields: Absolutely; not the renderings. We're endorsing the concept that it should be a primary target for economic redevelopment. But it's the nature and scale of it is really going to be, I think, ultimately very different from this area, for a number of reasons. The historical nature of it, I think the transportation nature of it... I think the historical nature of how... you know, you just go into how stuff is done on the ground; it's an old area with lots of small parcels. Personally, I see that the economic development there turns into... allows these smaller parcels, as each one goes for sale and goes for redevelopment, either if they're residences or potential businesses, to be more small businesses, small residences. There are plenty of places in the County where we can do large scale, more typically Northern Virginia style commercial, high density residential development if that's what we choose to do.

Mr. Howard: Well, it sounds like conceptually you're thinking more mixed use type of...

Mr. Fields: Smaller scale primarily. Actually mixed use is what it kind of is now. Falmouth Village is actually an example of organically evolved mixed use planning. Mixed use is fine, like I said. I guess I keep coming back to the word "scale". That is really what we were talking about. We want it to redevelop; we want it to be thriving economically as a heritage tourism site and as a thriving residential site.

Mr. Howard: Did discussions come up about the potential, obviously the road improvement that inevitably will happen at some point with that whole interchange there?

Planning Commission Minutes
June 2, 2010

Mrs. Baker: Yes.

Mr. Howard: How did those discussions go and how was that factored into some of the conceptual text that is in this document?

Mrs. Baker: You mean throughout the whole process?

Mr. Howard: Yes.

Mrs. Baker: Of course, part of that is since we don't know what the plans are, we took that into consideration when these plans were drawn up. They certainly looked at...

Mr. Howard: I think we do know that the goal is to increase the capacity of the intersection, or at least make the intersection a little bit more pleasant to drive through from a timing perspective because it takes a long time to get over the Falmouth bridge coming into Stafford and going out of Stafford, and even if you use Butler Road and 17.

Mrs. Baker: Right. And some of VDOT's proposals, they're certainly just in the preliminary phases of design, have driven some of these grid patterns we've looked at in the Falmouth Village area. They are recommending closing some of those roads that now access Route 1 because of the traffic issues with people trying to get out on Route 1 as well as Butler Road. And, so, yes, a lot of this conceptual plan was based on the fact knowing that some of those roads were actually going to be closed or had the potential to be closed.

Mr. Harvey: Yes, Mr. Chairman, I will point you to the one graphic that shows Figure 5, the Falmouth Village proposed Master Plan aerial. As you kind of look at the bottom right-hand corner of the graphic, it identifies Butler Road and it identifies parking lots along Butler Road. And that was because the consultant took into account that when they widen the road, it will end up impacting a number of the existing structures along that corridor. So, it had proposed utilizing that additional space for parking areas to improve accessibility to the overall Falmouth area.

Mr. Fields: Part of the problem, Mr. Chairman, is that as time marches on and the value of the construction dollar gets less and less, of course, the Plan now has devolved into an at-grade improvement which sadly is going to yield, in my opinion, very little significance.

Mr. Howard: Right, little benefit to us.

Mr. Fields: Little benefit. It's a very expensive, I suppose I shouldn't say this, but if you ask my opinion, at this point I would take the \$24 million from Falmouth and put it up in northwestern Stafford where it's life-threatening to drive around. You know, if you're only going to put it at-grade, I don't know that you're going to continue to level... the flyover concept improved it to, even over long term, you could get at least a level C. If you had six of twelve free-flowing movements, but when you restrict twelve movements, even if you've got more lanes and better light timing, you are going to get a slightly less delayed Level of Service F.

Mr. Howard: Yeah, but more lanes is not always the answer to your point.

Mr. Fields: So, sadly I think some of that issue is different. But I'm sure all of those potential footprints I know we're taking into account at some degree looking at this.

Planning Commission Minutes
June 2, 2010

Mr. Howard: Okay. So, it's the recommendation, I think, of Mr. Fields and Mr. Hirons... well, I guess we'll wait. Mrs. Baker brings up a good point. Why don't we... well, I don't want to tell you what to do but the subcommittee was going to come back to this group with a recommendation. It sounds like the recommendation at this point is remove the graphics, leave the text and that's it.

Mr. Fields: That is correct. Mr. Hirons? Yep, we're in agreement on that.

Mr. Hirons: Yes. And I think it would be good to have Mr. Johnson to address some of that as well because he was in the meeting with us, I believe.

Ms. Kirkman: Well, just to clarify, it was the recommendation not only of the Planning Commission members but of the two Supervisors as well. So, that's why I'm not quite following the "I can't do that until I check with Economic Development".

Mrs. Baker: I don't want to go and make these changes. Mr. Johnson and I were both at the meeting and we met on this with Mr. Harvey and had discussions with Mr. Baroody as well on these changes that we were proposing. That was our understanding was that the renderings couldn't be changed but we were going to add notations to them. And we both came away from that meeting with the understanding that we were just going to make additional notations within the text that were going to point out the things such as the scale and, particularly, focus on the northeast quadrant; and that was where the layout concerns were. I apologize that we both came away with that understanding that we weren't taking out graphics. As planners, we feel we need graphics in there to show at least the layouts of the streets and the layouts of some of the infrastructure that they're proposing. But, I would like to confer with Mr. Johnson in Economic Development since this is their plan.

Mr. Howard: Well, I think that's fair, Mrs. Baker, because we are also indicating that there's a financial component that we haven't even talked through which is why you want to go to Economic Development to make sure what are the thoughts from... what would something like this bring to Stafford County from a revenue perspective; we should know that. And to Mr. Fields' point and Mr. Hirons' point, do all the renderings have to be, and I'm not sure, I certainly would think good planning would dictate they should have some boundary graphics in there to depict exactly what, when we talk about this Falmouth plan, that people understand that this is sort of the geography that we're talking about. It doesn't have to be exact by lot line but just in general in nature because the plan itself is general in nature.

Ms. Kirkman: And Mr. Chair, that's something that would have to be mapped out anyway, so it wouldn't have to include these drawings of buildings and the scale of the buildings that's in there now.

Mr. Howard: No, the general text, in terms of description, is probably sufficient. But I do think there is going to have to be some type of graphic, for all of these redevelopment areas, not just Falmouth.

Mr. Fields: Well, we acknowledged that those will have to come down the road. We do not have the resources to make new drawings. That's part of where this problem comes in.

Mr. Howard: Yeah, that's clear.

Mr. Fields: And I think Mr. Hirons and I and Ms. Stimpson and Mr. Crisp said we understand that. We would prefer to have some new drawings trying to get at what we were saying, but we would

Planning Commission Minutes
June 2, 2010

prefer to have no drawings to the old drawings; given that we can't have what we want, which is a new set of drawings.

Mr. Harvey: Mr. Chairman, if I may. What Mrs. Baker is saying administratively is that Economic Development is the lead agency on these plans, so we will consult with them and bring back to them all the discussion that we've had tonight and see if we can incorporate some alternatives as far as maybe photographs of existing structures to try to get to the scale issue, or some other means to try to get to the same end point that we're talking about.

Mr. Howard: Was there a projected density? So if you went to figure 5 which is really the aerial, and I'm asking anyone this question because I don't know, was there a projected density of what that rendering would generate?

Mr. Harvey: There was a projected density for this redevelopment area as well as the other redevelopment areas. I don't believe it was location specific.

Mr. Howard: No, and it shouldn't be. It should be general in nature.

Mr. Harvey: But we can check to see if the density envisioned matches with the scale in which the drawings show.

Mr. Howard: That is probably something we should think about.

Mrs. Baker: If we can pull up the computer again on the one graphic. Computer please. I can't zoom in, but the bottom table here does have square footage for office, commercial, residential. This was based on, again, the analysis that they did and what could ultimately be supported within this area. Again, it's not specific, it's just showing the overall.

Mr. Howard: That's good actually. I don't know if the number is right but that would make sense to have that.

Ms. Kirkman: How does that differ from what's there now?

Mrs. Baker: These projections? I mean, it's anticipating additional development that's occurring to support these numbers.

Ms. Kirkman: Right, but I'm asking so, for instance, there's a combination of about 127,000 square feet of office and retail. How does that compare to what's there now? It calls for 425 units covering 224,000 square feet; how does that compare to what's there now?

Mrs. Baker: I would have to look in the information that they provided.

Mr. Fields: It's a lot more.

Mr. Howard: Yeah, and that's a good question. I actually had that same thought Ms. Kirkman. Mr. Harvey?

Mr. Harvey: The numbers that were reflected in the document are market analysis numbers as far as what the future growth would be. So it would be additive on top of what already existed on the ground

Planning Commission Minutes
June 2, 2010

today. But that is a good question as far as how does that convert to the scale of what's already on the ground.

Mr. Howard: Yeah, exactly. That's what you need to understand. So, it's additive to what exists today. So that 337,000 square foot, I think that was the number... the other follow-up question to that is what are you proposing for the redevelopment in terms of square footage or if you want to do square miles, I don't care, for that plan? Does that map to the plan? That's sort of what you need to know and that's why you would want at least a rendering of the square footage I guess at some point with maybe roads and a parking lot but no other depiction with structures, if that's an issue; I'm not sure why it is but if that's an issue.

Mr. Howard: Mr. Chairman, we'll consult with Mr. Johnson to see if there's a direct correlation between the images and the square footage numbers that were done in the market analysis.

Mr. Howard: Right, because if that is different then that might necessitate that small group coming back together to talk through, from a projection perspective, what do we believe the Falmouth Village, in terms of the redevelopment plan, what should the maximum build-out be. And then I think you go back into the rendering, or you go back and you kind of work backwards from that. If there's agreement; it sounds like there was agreement on something.

Ms. Kirkman: Mr. Chair, I have an additional question for Mr. Harvey. So, you're saying that the numbers in the table are additive? So, how does that work? For instance, there's already a number of single-family residential homes in that area. When you say it's additive, does that mean the new residential is only going to go in undeveloped parcels, or does it mean that the existing single-family homes are going to be razed to the ground and something at a higher density is going to go in? I don't understand how the additive piece works.

Mr. Howard: Mr. Harvey, do you know how the additive piece works?

Mr. Harvey: As far as I recall, the document does not speak the strategies as to whether it requires demolishing existing structures and building new structures. It does say that there is a market for approximately 425 new homes in that area; it doesn't specify the type of home, whether it's a single-family detached or multi-family unit. That would be something that I guess we would have to take a look at in the context of scale. You know, what is appropriate and what types of units would be those envisioned for this area.

Mrs. Baker: And it is not the intent to demolish existing historic structures.

Mr. Howard: No, in fact I thought there was a reference in there I was looking for. It says those can be relocated.

Mr. Fields: No, you can't.

Ms. Kirkman: Well, I was speaking to single-family homes that exist in the area that are not historical structures, but appear to be townhomes in some of the renderings. And so I was wondering...

Mr. Fields: There's a real amalgam of things there. I mean, I understand what everybody's saying, I'm not trying to contradict, but the reality is, is yes, some of the commercial development there would be true redevelopment. It would be taking down what exists and putting something different there,

Planning Commission Minutes
June 2, 2010

because any kind of Comprehensive Plan doesn't allow what's sitting on the ground there to simply sit there and then surround it with different things. It would actually be the prime strategy here would be to take parcels that have either existing businesses or existing homes on them and convert them to some other use, because (a) there's not that much open undeveloped land within this boundary that is developable. The big chunks of land are still part of the private historical estates, either Belmont or Carlton which is a private estate, and Clearview which is a private estate, which form the three sort of anchors of what Falmouth is. They're up on the hills. And then the open land is either part of those estates or it descends from the hills. Most of it is staggeringly difficult in topography to ever develop; so most of the open space in that area of Falmouth that is not developed is probably not developable to a large scale. So I think a great deal of the redevelopment of Falmouth is truly, unlike some of the other areas we've been talking about as redevelopment, which are actually taking undeveloped land and putting things on it which is not redevelopment; not that it's wrong, it's just not redevelopment. This and Boswell's Corner is where you're probably going to get the most of the true concept of redevelopment. You're going to have to take some things down to get most of this on the ground; or any version of development there. And that's what I was saying, I think as these properties convert, the idea on the smaller scale is that you have a small single-family home that is maybe somewhat antiquated and gets reconverted and, under the guidelines of the Architectural Review Board and the Falmouth Plan, gets reconverted into something maybe a little larger but something still consonant with the Village. At the end of the day, while this market analysis says that these numbers may be supportable, there's absolutely no logic in saying that they're desirable or even that we want to achieve that down there. Just because there's a theoretical capacity to support 400 houses doesn't mean that that area of the County has to have them. If it destroys the character of Falmouth Village just to get 400 houses in, that doesn't seem to be a good plan in my book. So, I wasn't disagreeing with Mr. Harvey, I know what you're saying. They weren't calculating that. I mean, Jeff, you've been here a long time. Most of that property is going to have to be redeveloped of some sort, right? I don't know every tract of land down there but large open, easily developable, unbuilt tracts of land in the Falmouth area just don't exist that I know of.

Mr. Harvey: Correct. There are some parcels that are probably underutilized or they may be able to develop a portion of the property, unless you are doing, as you were implying, where they raze an existing structure to make more space.

Mr. Fields: So to some degree... I'm not trying to contradict you... to some degree, while they conceptually did these as additive, in practice there is going to be a subtraction and addition process going on I think; a conversion process.

Mr. Harvey: More than likely. Especially as you look at the renderings. Some of those blocks of existing streets become more intense.

Mr. Fields: Right. Which, again, is not even what we were necessarily disagreeing with; it's the level of how they become more intense is what these renderings, I think, overshoots the mark on.

Mr. Howard: So, here's what I think I'm hearing. Does the stated build-out map to the current rendering? What should be the maximum build-out and should the maximum build-out to Ms. Kirkman's point include the existing population? What would the boundaries actually be for the Falmouth Village? And I don't think it has to be exact again, I'm just saying some artist's rendering that is not exact, by the way. And should that rendering have at least some conceptualized streets mapped with the intersections, the walkways that were referenced in here? The goal was to keep the historic feel but also create a destination but yet also a place where people can just kind of walk

Planning Commission Minutes
June 2, 2010

around, like a little village, right? That's what a village is. So, is that right? Is that what everyone is saying?

Mr. Fields: Yeah, that's reasonable. I think... the problem is the resources. I think Mr. Harvey had an excellent solution perhaps using photographs as an interim solution until we can have new architectural renderings. Like I said, back to the original problem, we can't get new architectural renderings done at this point. But maybe, Jeff, your idea of using photographs of existing structures... particularly the streetscape of Washington Street down through the center of Falmouth Village speaks volumes basically on how things evolve. That's really what the Falmouth Plan was based on is that this is the pattern language of Falmouth Village.

Mrs. Hazard: Mr. Chairman, can I ask a follow-on to that?

Mr. Howard: Yes, absolutely.

Mrs. Hazard: Although we're talking about just this Plan in this instance, when you're talking about clarifying the additive feature of that, my overall question would be, because it appears the same consultant did all four Plans, is how those additive features, however you want to do it, in each of those Plans, is there one base way that it was done or is each one separate? Since we are looking at how we're adding capacity in other areas with upcoming UDA, all those kinds of things. I just want to make sure that we understand that and it may be very clearly stated in there. But, as we move forward, that will be a general question I'm going to have. I just wanted to put that out there so that as we start adding capacity and start using these redevelopment plans as a basis for new growth that we're understanding...

Mr. Howard: Mr. Harvey, is there a way to understand the methodology that went into the build-out?

Mr. Harvey: Mr. Chairman, Mrs. Hazard, I will have to confirm with Mr. Johnson, but I do believe that they looked at each area separately, but also took into account what else is going on in the County as a whole.

Mr. Howard: Okay. Ms. Kirkman.

Ms. Kirkman: Mr. Harvey, though at the time they did that, we did not, if I recall the timeline on these studies, we actually did not have any planned UDA's on the Comprehensive Plan and now we've got nine. So, wouldn't that substantially alter the market analysis? I mean, I guess I'm asking is this no longer relevant given the nine UDA's that have been proposed?

Mr. Harvey: That always is a question about a market analysis because it is a snapshot in time and now some time has gone past since it was first done and the economic conditions were different at that point in time. And some may say that the numbers in here may not... I would have to check with Mr. Johnson to see if they're still considered to be valid. They are a ten year projection for the market, but there are factors like the UDA's and other things that might come into play.

Mr. Howard: Well, I think the UDA will definitely change the strategy, but I think we were just asking what was the methodology, that's all. So we have an understanding when we're looking at it from that perspective.

Planning Commission Minutes
June 2, 2010

Ms. Kirkman: And, Mr. Chair, while we're getting clarification, the other clarification that would be helpful is you mentioned earlier on the market analysis they did not specify the type of housing unit. And to me that seems pretty critical because there are very different types of demand for single-family versus townhome versus duplex versus condo versus apartment. So, if you could get clarification on how they were able to come up with this market analysis about the number of units without specifying the type of unit.

Mr. Howard: We could find out but I think the proposal was more... I mean, there are certainly some single-family townhomes in there or row houses in one of the renderings anyway, but I think it was more mixed use; which gives you the benefit of not having to be exact. So, we'll see what they come back with.

Mr. Fields: Mr. Chairman, I actually had one follow-up question on the Southern Gateway before we get done with all of this. And we may have gone over this before in the original presentation but can you refresh my memory on what the... because the ideas were formed around particularly... while Falmouth Village was based on historical tourism, the whole point is their economic development meaning employment centers as well. What was the, and we know that Boswell's Corner because of Quantico and the Courthouse Area because of the hospital and government, but what was the primary driver in the Southern Gateway again? Because it was historical tourism in Falmouth Village, so I'm clear on three of the four and I'm just trying to recall what was considered the primary economic engine that would drive the Southern Gateway redevelopment.

Mrs. Baker: Well, I think part of it is, of course, being at the crossroads of I95 and Route 17, but also being a gateway into Falmouth Village. The Southern Gateway area is where it's envisioned to have larger hotels and larger activities that would allow people to stay there and then be able to work their way down to Falmouth Village and other heritage resources. But, since the large hotels and things wouldn't be located down actually in Falmouth Village so it would serve as a gateway to that cultural area.

Mr. Fields: So, the Southern Gateway, the jobs, sort of economic component of it, was primarily service and retail?

Mrs. Baker: Not necessarily.

Mr. Fields: That's what I'm kind of getting to, because what you are talking about is hotels, so you're talking about service industry, hospitality industry things...

Mr. Howard: No, I thought there was also...

Mrs. Baker: Civic areas and office and, I don't know, maybe kind of envisioning like what the RBC was initially intended to do; having cultural activities, outdoor amphitheaters and those types of activities. Also residential, which is going to be a component of that as well.

Mr. Fields: Okay.

Mr. Harvey: Yes, also as Mrs. Baker was saying, if I recall, the concept is also more transportation oriented than the other redevelopment areas; a proposed relocating the commuter parking lot and using that as a sort of catalyst for other uses that would sort of frame the parking lot area that could be tied

Planning Commission Minutes
June 2, 2010

into an entertainment venue, as well as additional housing. So, it would become sort of like a multi-modal hub so to speak.

Mr. Fields: Okay. So, it's a little bit different than the Courthouse and Boswell's Corner.

Mr. Harvey: Yes.

Ms. Kirkman: So, is that saying commuting is the... they're going to build an economy around commuters, is that what that concept is?

Mr. Howard: No, I didn't hear that. I thought it was economic development for the County which included obviously the service industry, retail, the fine arts community, which would be jobs, and also a place to go to a theater.

Ms. Kirkman: Sure, Mr. Chair, if I could get clarification from Mr. Harvey about what he was saying, because you talked about the commuter lot being relocated and things built around it.

Mr. Harvey: This plan for Southern Gateway, especially the western side of Southern Gateway, is more transportation oriented than other of the redevelopment areas in that, as I was saying, they are proposing to relocate the commuter parking lot and frame other development around it to take advantage of that parking area. So you could have commercial retail take advantage of that, as well as entertainment venues, and then have residential nearby so you could have people that potentially would catch commuter bus, walk to the lot where they could catch the commuter bus, and those types of things.

Ms. Kirkman: Okay, thank you.

Mr. Howard: Okay, so we had a time limit of this meeting. We have a time limit of July 4th. Is that still in effect because we've moved the actual Comprehensive Plan itself? Is that accurate Mr. Harvey? It says that we have until July 4th but I thought we...

Mrs. Baker: Is there a time limit? I didn't realize there was a time limit.

Mr. Howard: Well, I think there was because initially the Comp Plan was due to have been reviewed or at least ready for further discussion in June and that time limit was moved.

Mr. Harvey: Mr. Chairman, my recollection was that that was the case; that the Board had sent this to you and wanted you to take a look at it and make any additional recommendations. And also take into consideration the timing of the Comprehensive Plan.

Mr. Howard: Right. So I think we would be okay if we wanted to have the Economic Development come back and just give us some of the other answers and kind of fill in the blanks, if there's a desire to do that in terms of a motion.

Mr. Hirons: Mr. Chairman, can I just ask what's our ultimate action on these? Is it just recommending them for insertion into the Comprehensive Plan? Or are we saying we (inaudible) like these, send them on to the Board?

Planning Commission Minutes
June 2, 2010

Mr. Howard: We were supposed to look at these redevelopment areas and determine if they were in compliance with the Comprehensive Plan as it's currently amended, but also as the future state of the Plan was. So, we were supposed to come together as a group, look at each redevelopment area, understand it and determine whether these redevelopment areas should be part of the Comprehensive Plan as proposed.

Mr. Fields: And make that recommendation to the Board.

Mr. Howard: And make that recommendation to the Board, right. Yes or no, that they should or they shouldn't be.

Ms. Kirkman: And how does that differ from the Comprehensive Plan?

Mr. Howard: I don't think it does, that's why I asked Mr. Harvey the question in terms of the deadline. Is that your question Mr. Hirons?

Mr. Hirons: I was going to ask is our real deadline the deadline of the Comprehensive Plan?

Mr. Howard: I think it is, but I was asking for clarification.

Mr. Harvey: Mr. Chairman, if I can add to that, from the staff perspective, what we're thinking is that the Comprehensive Plan would move forward. In the Plan document, it recommends these redevelopment areas. And then the Redevelopment Plans themselves are a subset of the Economic Development Strategic Plan. These were direct recommendations in that Plan. So, if they were to move forward to be part of the Comprehensive Plan, they would be considered for adoption as components of the Economic Development Strategic Plan.

Mr. Howard: We got all that, but my question was the time limits. I'm not sure we have to take action before July 4th.

Ms. Kirkman: And, Mr. Chair, I guess I wondered why we would move these forward separately since that would entail a totally different notification process, advertising and cost to the County.

Mr. Howard: I agree with you, Ms. Kirkman; I don't think we would. I think it's part of the Comprehensive Plan. Our job here is to say yes or no that we're recommending this be part of the proposed Comprehensive Plan. I think that's what we're supposed to be doing and that's why we need probably more information that we asked for on those to-do's or filling in the blanks before we even, as a group, say yes we think this conceptually should be part of the Comprehensive Plan. Well, we deferred it to this meeting, so my question is we probably should have a motion at least, moving it. June 16th is really a very booked up meeting; I'm not sure that's a good meeting to do this at. But the following meeting after that I think is the first July meeting which I would not think it's on July 4th.

Mr. Harvey: July 7th.

Mr. Howard: Okay.

Mr. Hirons: Well, since it's Falmouth, I'll move to defer further discussion on the Redevelopment Plans until the first meeting in July, July 7th.

Planning Commission Minutes
June 2, 2010

Mr. Fields: Second.

Mr. Howard: Second by Mr. Fields. Is there any discussion? All those in favor signify by saying aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Those opposed, nay? The motion carries 6-0; there's one absent Commissioner. And in your motion, were you including item 2 which is... because you said Redevelopment Areas.

Mr. Fields: Well, it's primarily at the request of... I guess the motion, to amplify it, it's at the request of staff to go back and figure out how to recalibrate the document without the renderings.

Mr. Hirons: Right.

Mr. Howard: Okay.

Mr. Fields: That's primarily what we're trying to do, and answer some of these other questions that have been raised.

Ms. Kirkman: Mr. Fields, perhaps a separate, since the first motion had only to do with the timeline, perhaps it would be appropriate to make a separate second motion regarding the content of the Plan.

Mr. Howard: Is that your motion Mr. Fields?

Mr. Fields: Sure.

Mr. Hirons: Mr. Fields, I'll defer to you to make that motion.

Mr. Fields: Let me see if I can remember all this, the number of questions raised. We want to have the staff consult and come back with a version that is absent the renderings, we request them to be creative and innovative in coming up with ways of defining the boundaries of the area and some potential conceptual future things in the area but not using the renderings as presented here by the consultant. And then to answer the various questions raised regarding numbers and etcetera, etcetera and methodologies. It's a long motion but about sums it up.

Mr. Howard: Is there a second?

Mr. Hirons: If that was the motion, I'll second it.

Mr. Howard: Any discussion? All those in favor signify by saying aye.

Planning Commission Minutes
June 2, 2010

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Those opposed say nay. The motion carries 6-0; again, there is one Commissioner absent for the vote. Okay, that really moves us way down very quickly, all the way to new business.

3. Groundwater Management Ordinance (**Deferred to June 16, 2010**)
4. Rappahannock River Overlay District and Potomac River Overlay District (Referred back by Board of Supervisors) (**Time Limit: October 6, 2010**) (**Deferred to June 16, 2010**)
5. Discussion of Medical and Dental Clinics Definitions (**Time Limit: July 6, 2010**) (**Deferred to June 16, 2010**)

Mr. Harvey: Mr. Chairman, actually on item number 5, staff had put a memorandum in your packet. After the last Planning Commission meeting when this item was deferred to the 16th, we noticed that the deadline for the action by the Commission expires prior to your July 7th meeting. So, staff would recommend the Commission consider asking the Board for additional time.

Mr. Hirons: Mr. Chairman, by additional time, or Mr. Harvey, by additional time, are you suggesting that we should... I guess the September 1st would be the time limit that we should have taken action on it, including having held a public hearing and send it back up to the Board of Supervisors?

Mr. Harvey: It would be at the Commission's discretion to ask for how much time you think you need with regard to this amendment. But, mechanically, trying to advertise the public hearing, we won't make the required date.

Mr. Howard: Right. Even if we authorized it tonight we missed the date, right?

Mr. Harvey: Yes.

Mr. Howard: So, just for that, it's probably safer to, I would think, make the motion to request extension and then just get this done at the next meeting in terms of getting it ready for public hearing. That would be my guess.

Mr. Hirons: I make the motion to request to the Board of Supervisors for an extension of time to September 1st on the amendments to the Zoning Ordinance, whatever it was on again.

Mr. Howard: The time was September 7th.

Mr. Hirons: September 7th?

Planning Commission Minutes
June 2, 2010

Mr. Howard: Right.

Mr. Hirons: Okay.

Mr. Howard: I'm sorry, not the 7th. That was July 6th.

Mr. Hirons: September 1st is what's recommended in the cover memo.

Mr. Howard: Okay.

Mr. Hirons: So, the motion is to request the Board of Supervisors a time extension to September 1st for Planning Commission action on amendments to the Zoning Ordinance regarding medical and dental clinics.

Mr. Howard: Is there a second?

Mrs. Hazard: Second.

Mr. Howard: Any discussion? Hearing no discussion, I'll call for the vote. All those in favor of Mr. Hirons' motion signify by saying aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Those opposed signify by saying nay. The motion carries 6-0; we are going to request the extension. Okay, so now we're up to new business. Thank you, Mr. Harvey, for that; I was looking at the agenda in terms of the dates. I know there were some papers on the table today, so is there any new business?

6. Amendments to the Comprehensive Plan (**Time Limit: September 7, 2010**) (**In Comp Plan Committee**) (**Deferred to June 16, 2010**)
7. Fees for Minor Revisions to Planning and Zoning Applications (**Time Limit: July 20, 2010**) (**Deferred to June 16, 2010**)
8. Reservoir Protection Overlay District (**Time Limit: January 29, 2010**) (**Deferred to August 18, 2010**)

NEW BUSINESS

Mr. Harvey: Mr. Chairman, the handouts at your desk are not related to new business but related to actions of the Board of Supervisors from last night's meeting. If you'd like, I can begin with the

Planning Commission Minutes
June 2, 2010

Planning Director's Report or we can defer that until after presentations by the public, however you'd like to proceed.

Mr. Howard: Well, we have five minutes for that. You know what, before we do that Mr. Harvey, let me... under new business, we'll stay under new business for a moment. There are really two things I wanted to bring up. One was a Code of Ethics for the Planning Commission itself and I'm going to actually ask... I know it's in our by-laws; there's a reference to it. But I'm going to ask to see if there are two volunteers that would like to work on drafting a Code of Ethics that we can either, at some point, include in the by-laws or at least have a Code of Ethics for the Commission in terms of code of ethics. So if there is anyone that wants to...

Mr. Fields: I would be happy to volunteer.

Ms. Kirkman: I would too, Mr. Chair.

Mr. Howard: Okay.

Mrs. Hazard: I would too.

Mr. Howard: Alright, so we'll have Mr. Fields, Ms. Kirkman and Mrs. Hazard kind of work on that. Since it's three, we will have to announce when those meetings happen and take place. And then the second item of new business is allowing each Commissioner three to five minutes or so at each meeting. And we can do it either under new business or we can do it somewhere on the agenda by amending the agenda, but talk about what you've worked on, what you've done, who you've met with, what discussions you've had, what concerns you may or may not have or things you think we should work on or work towards. And I throw that out there as an option.

Mr. Fields: Like the Board does.

Mr. Howard: Right. What's the thoughts... what's the will of the Planning Commission? We certainly can make that change but I throw it out there because it probably would help foster some understanding in terms of where people's perspectives are and what they are doing and who they have spoken with. Any thoughts on that?

Mr. Hirons: I think that's a great idea. When I first came on this Commission I was a little surprised we didn't actually do that. Most Board's I've served on before usually have a time for members' comments types of things, not that I feel restricted at all making comments about pretty much anything here. But I think having an actual agenda item for that purpose would be a great thing. I'd certainly like to know how my fellow Commissioner's weeks have gone.

Mr. Howard: Well, we wouldn't talk about the children but certainly things we've worked on that are germane to what we do as Commissioners.

Mr. Fields: Mr. Chairman, let me just observe that, and this is just a general observation from the Planning Commission and Mr. Mitchell will probably amplify from being on the Board of Supervisors, I think even under the best of circumstances, it's a great idea but we need to be... since there's been sometime some friction within this Board about nature, scope and style of comments, I think we need to be aware that on the Board, even though we had the by-laws and it was supposed to be germane, the bottom line is you just can't get away from the fact that on the Board, those comments were a three to

Planning Commission Minutes
June 2, 2010

five minute political soapbox. You could use those however you wanted to do and you get into a very difficult... even with everybody being very well intentioned, you get into a very difficult thing if you give each Planning Commissioner this time and then attempt to draw tight parameters around the nature and style of their comments. And again, I'm not making a pro or con statement. I'm saying my observation on the Board of Supervisors is that everybody said what they felt they needed to say for the reasons that they needed to say it. Sometimes what your fellow Supervisor would say would just drive you up a wall. It would just seem like the craziest thing you'd ever heard, but, you know, everybody got their day in the sun and everybody got their shot at it. And I think that's, even under the best of circumstances I think that's going to be the result of that. I don't necessarily have a problem; I don't necessarily feel that that's a destructive thing. But I think I just wanted to be aware, since we've been having the discussion about Code of Ethics and style of presentation and parameters of discussion, which are very valid. You want a germane and civil discourse on the policy issues that we're tasked with, dealing with. I'm just saying a personal comment time quite often leads to... and I'm being very, very careful to choose my words here to say that it's not a free-for-all; it isn't. But it becomes a little more open forum than what we've tended to have where we've done I think a pretty good job most of the time of keeping our discussion to questions related to specific agenda items and/or addressing specific motions on the table.

7:30 P.M.

PUBLIC PRESENTATIONS

Mr. Howard: Mr. Fields, for the sake of the public comments, let's pause. I think you bring up an interesting perspective. So, we can pause and we'll come back after public comments to finish new business. It's a good spirited conversation to have actually. So, we will now move into the 7:30 p.m. part of the meeting which is Public Presentations. So, anyone wishing to address the Planning Commission, really on any tope tonight because we don't have any public hearings, may do so. You can do so by coming forward and stepping up to the podium. And, as a friendly reminder, there is a time limit and it's three minutes. The green light means you're good to go, the yellow light means you have about a minute left and then the red light means you want to kind of close your remarks. And I think most people recognize that we don't address you directly, but certainly any issues that are brought to our attention we will try to get an answer tonight if it's something that can be answerable. I will now open up the public presentations and I am delighted to welcome Mrs. Carlone to the podium.

Mrs. Carlone: Hey, hi guys, good to see you again. Ruth Carlone. Just to refresh your memories, for three years we worked on the Comprehensive Plan. It was a bipartisan committee headed very ably by an independent, Arch Di Peppe, and part of the groups were developers, there were realtors and there were land speculators. And, after three years, we thought we came up with a very good Comp Plan. I understand now it's being more or less revamped and I hope you don't have another 7:30 a.m. on a Saturday morning meeting with your group. Now, also, my question, and you can answer it later, is there still going to be a joint public hearing on the Comp Plan September 7th? Is that in the mill still or is it going to be first Planning Commission then Supervisors later so the public has a chance to provide input? Nobody knows what in the Sam Hill is going on right now. And some of us follow it and are aware of it. There needs to be more info coming out on the Comp Plan. And contrary to this morning's article, again, it was neither a Dem or a Republican Comp Plan that we put together, it was for everybody. You have the responsibility, as well as the Supervisors, to look ahead what is best for the County. You see what's happened because there hasn't been, back in '79 when it first started and

Planning Commission Minutes
June 2, 2010

'88 which was never completed. We have the problems that we do especially traffic; no flyovers. Anyway, also, one other thing; in the by-laws it should be added, because of my experience when I was on the Planning Commission, that there should be no electronic transmissions or text messaging during the meetings. It is extremely impolite and I think I punched and pinched one of my fellow Planning Commissioner's to please don't text message. But I think that's important to add to that. Like I said, it is insulting. Oh, also, are we going to have, if you can answer this, a tax map of parcels to overlay on our UDA map? Is that in the mill fairly shortly? That's it. Hey, good to see you guys.

Mr. Howard: Thank you Mrs. Carlone. Anyone else wishing to address the Planning Commission may do so by stepping up to the podium. And, again, I believe the protocol and rules have been established.

Mr. Waldowski: Paul Waldowski. I watched your Commission on TV the other day and you need to speak into the microphones so I can hear you. I also listened to the track at the office and I could barely hear you. Because, you know, I am really interested in these car washes so we can put it in our storm ponds. Now, I also looked at the Stafford County Comprehensive Plan... it's kind of ironic... and I really do like that someone actually drew a diagram. Wow! And I love the environment section because the number 1 box is Regional Stormwater Management. But there's no verbiage behind it; but, it's a nice try. Then Land Use, we have some economic development plan. And I keep telling you, there are seven districts... there are only six of you here today... and I'm sorry Mr. Rhodes, I wish you were here because I put my Garrisonville townhouse on the market so someone else can own that storm pond that Meadows Farms keeps dropping their water in, and Shenandoah, just because I'm an member of a corporation. Now, the right side of the Comprehensive Plan, the Community Facilities and Infrastructure, number one is the Master Water and Sewer Plan. And if you didn't hear, the vote was 4 to 3 yesterday and it was really interesting to see that two Democrats and two Republicans voted yes to raise our water and sewer plan. Well, I've been coming here since March 17th is when I came to the first Board of Supervisors in 2009, and I still don't get a water bill. But I did drop off my water bill and use my services as a County employee and I made a recommendation today and I even sent an email to all of them that why don't we send Aquia Harbour HOA their water bills and then we'll reduce our expenses. Now the other thing that's under Community Facilities and Infrastructure are parks and open space. If you haven't been off Mountain View Road, there's going to be a new YMCA and there's a park that's going to be across the street and there's an over 55 community. And across the street from the park, that's where I live. And I bought across the street from the park because I don't have no shining headlights in my bedroom anymore. But now I have to take care of a gazebo and I don't understand how I can pay taxes and take care of all these little infrastructure. And, by the way, your Stafford County Land Use Plan was dated 2003. Well, we are in the second decade of the twenty-first century. And for the public's interest and my own interest, I want to know... are you paid as part of your appointment? That's one thing I didn't have a chance today to call anyone and find out about that. And also, I'll just finish with planning... I keep telling you about commuter parking lots and you keep using the land in the wrong way and you need to build a vertical parking garage. Thank you.

Mr. Howard: Thank you Mr. Waldowski. If anyone else would like to approach the Planning Commission for comments... Mr. Waldowski, I'm going to answer your paid comment if you want to wait... address the Planning Commission, you may do so. Seeing no one else step forward, I will close the public comments and, again, there's no public hearing. Just as an FYI, all Planning Commissioners are paid an annual stipend of \$10,000 a year. Okay, back to the new business.

NEW BUSINESS - Continued

Planning Commission Minutes
June 2, 2010

Mr. Mitchell: Mr. Chairman, I would like to be on the committee. There was a committee of three appointed.

Mr. Howard: It can be a committee of four since we have to advertise it.

Mr. Mitchell: Could you add me to it, Mr. Chairman?

Mr. Howard: I would love to do that.

Mr. Mitchell: Thank you sir.

Mr. Howard: It could end up being something we do at a work session, but that's good.

Ms. Kirkman: Yes, Mr. Chair, at this point since it's rapidly expanding to be a majority of the Commission when you originally asked for two, I would suggest at this point we just make it part of a work session.

Mr. Howard: Okay, I'm good with that, if that's the will of the...

Mr. Fields: I don't mind meeting as a committee but if we have four at this point, we have a quorum, we could actually have our meeting then.

Mr. Howard: That's right. No, that's good. So, we'll just do it... again, the next meeting I think is fairly booked. But in our meeting in July, maybe we can get that on there that we're drafting a Code of Ethics.

Mr. Howard: Yes, Mr. Chairman, we'll put it on the draft agenda for your review.

Ms. Kirkman: Mr. Chair, you responded to the questions of the second speaker, but the first speaker...

Mr. Howard: I'm going to respond to the other questions.

Ms. Kirkman: Great, thank you.

Mr. Howard: Thank you. I didn't respond to all of Mr. Waldowski's questions. I thought, as a taxpayer, he had a right to know about the \$10,000 stipend before he walked out of the room. In terms of Mrs. Carlone's question is there still a joint public meeting for the Comprehensive Plan, that I don't have an answer for because we did hand out an agenda and that currently is the plan but that could change. So that could absolutely change. In terms of the meetings, there may be additional meetings on Saturdays. There is always a meeting on Thursday evening here in this building of the single committee and there's been two times that both committees have met at that meeting. We did have that scheduled last week; we cancelled the Board of Supervisors and Planning Commission, actually four people could not make it but the Comp Plan Committee from the Planning Commission did meet at their normal time. And they're always there and there's an overlap of information. So, I would encourage anyone who's listening or anyone who's here in attendance that that's kind of a standing Thursday evening meeting. I believe it starts at 6:30, is that right?

Mrs. Hazard: Six.

Planning Commission Minutes
June 2, 2010

Mr. Howard: It starts at six and I know tomorrow there is a meeting and it's in Conference Room ABC. Anyone that would like to come and listen and understand it, please do so. That's been a standing date. And, there will be additional Saturday meetings; I would think at least one more. We'll notify everybody hopefully a week ahead of time. And I'm sure that the joint committees will get together at least one more time on that Thursday evening as well. And then, in terms of seeing more info on the Comp Plan in public view, those are the times to go to those meetings. And the public that shows up can't always participate but the meetings I've been to seem somewhat friendly and there's been actually good comments and good suggestions I think added from several of the people who have come and those have all been considered and, in some cases, adopted.

Mr. Hirons: Mr. Chairman, on that note, at our last meeting last week it was the first time that we actually had a good number of visitors, which was a welcome sight. Staff had a few hand-outs and he didn't have enough copies right then. He was able to run and make copies, but I asked Mr. Zuraf today to make sure he has some extra copies of any hand-outs he has for us during that meeting for the public so we don't have to run and make copies.

Mr. Howard: Yeah, that's a good point. But anything can be made available; there's nothing to hide. In terms of the question about the tax map and the parcel designation, the focus or the goal at this point is not to, and these are my words, not to pick winners or losers based on the Comp Plan. So, I've requested, and again it sort of goes back to something Mr. Fields mentioned, from the "political perspective", I have no desire to get into politics. I will tell you straight out. And that's not my agenda. I hope to live in Stafford County the rest of my life with my kids and I hope that the County continues to prosper. With that being said, I don't think the Planning Commission should be picking winners and losers in terms of tax map ID's and parcels and designations. If we can go forward without even knowing that at this point, that's my desire, in that at some point of course we have to overlay the parcels onto the land use map because you need to do that at some point. But I'm the one pushing not to do that at this point. And I'll continue to do that until the map is actually ready. My understanding is that there are some people disappointed in that and I guess that's going to be the case on either side. But the goal is not to pick winners and losers based on your Comprehensive Plan and the Land Use Map. That doesn't seem to suit the citizens of Stafford County, in my perspective.

Ms. Kirkman: Mr. Chair, as one of the Commissioners that requested a copy of the UDA boundaries overlaid on parcel lines, there are planning reasons why that information is important. And, if you're not looking at parcel lines, how are you drawing the boundaries to ensure that you're not bifurcating parcels or creating future problems?

Mr. Howard: That's a good question and we're just not doing that at this time. The map obviously will be made available for the public hearing. I mean, everyone will have a chance to look at that and understand that so it will be made available to you as a Commissioner way before the public hearing. Right now that map is just not created.

Ms. Kirkman: Well, then maybe we can do this under the Committee Reports, wherever you think it's most appropriate. Again, my question is how are the boundaries of the UDA's being drawn if you're not looking at parcel lines?

Mr. Howard: Yeah, we can do that in the updates.

Ms. Kirkman: Great, thank you.

Planning Commission Minutes
June 2, 2010

Mr. Howard: You're welcome. And the reason, Ms. Kirkman, my understanding is there are some Planning Commissioners who have had meetings with developers. And they've had meetings with developers with their Board of Supervisor representative and, again, I go back to we can't be picking winners and losers so right now that map is not available. I am not one of those Planning Commissioners, as I think I made clear at a previous meeting. So, are we good to go back to new business?

Ms. Kirkman: Well, while you brought that up, I will disclose Andy Garrett has met with myself and Mr. Woodson. It was on a tax issue but those of you who know Mr. Garrett know that he can't help but speak of his Widewater project whenever he gets anybody in the room. So I will disclose that right now.

Mr. Howard: Thank you.

Ms. Kirkman: Although the scheduled purpose of the meeting was to discuss the issue he had with the tax assessments of his property.

Mr. Howard: We'll go back to new business. So, Mr. Fields, I think there was some validity to that. In my perspective and actually not to throw Mrs. Hazard under the bus, but this was something that Mrs. Hazard and I talked about. And when we spoke about it, I was thinking more of the Board of Education. The School Board, in Stafford County, one of the positive things they do, I think, is that beginning part of the meeting and they are able to keep it germane to the schools. And maybe it's easier because they talk about schools visited, they talk about principals, they talk about things they've seen in the schools, so they could be just the nature of that position allows that type of discussion to be more germane to what that Board is there to do. I have no desire to have people get up here and have a speech. So, it's happened, it shouldn't happen, and that's not why I'm bringing it up as a suggestion. I think it's a good call-out because it is reality to a certain extent. But all of us would have to sign up that that's not, you know, we're not going to do that. So, it comes back to the integrity of the Commission. If it's something that we want to do and we agree that we'll keep it germane and then we don't, well then that's that individual's issue. And obviously we can call them out of order.

Ms. Kirkman: So, Mr. Chair, my concern is who decides what's germane?

Mr. Fields: That's a big problem.

Mr. Howard: No, the Commission can vote on it if it's a problem. You can have the Commission vote whether or not the person's comments were germane.

Mr. Fields: Well, that just allows whatever the majority opinion the Commission is to dictate what's germane or not.

Ms. Kirkman: Sure. Quite frankly that sounds like just a nice form of censorship.

Mr. Fields: Yeah. Mr. Howard, and I don't mean to harp on it. My desire here is constructive, I want to be very clear about that. On the Board of Supervisors, and I keep talking Mr. Mitchell... you don't have to speak, I'm not trying to put you on the spot... but I mean, he was there, we were both there awhile. We had many frustrating moments on the Board; various Supervisors would be very emotional about a certain topic and would really get spun up in their meetings. And I remember a couple of meetings where we even consulted with the County Attorney saying look, we feel this Supervisor is,

Planning Commission Minutes
June 2, 2010

you know, just isn't there some kind of parameters. The bottom line is, at least in a group of elected officials, you have seven Supervisors and sometimes different people have different philosophies and different styles, but all seven Supervisors are absolutely equal. Every one of them is elected by the citizens of their district which means they all have exactly the same enfranchisement in terms of their right to be here and say what they are saying or not saying. Obviously, there are certain things of decorum that... I'm not talking about people crossing lines of decorum or vicious personal attacks or anything like that. I'm not talking about anything like that. But I'm talking about saying things that were really, you know, in politics people say inflammatory, they get excited they say inflammatory things, things that other people see as inflammatory. Sometimes they say things that other people see is like wrong and why are you bothering, wasting our time with that. But everybody has exactly the same privilege to have that moment, that defined moment, and everybody agrees that the moment is circumscribed by time...

Mr. Howard: Same here at the Planning Commission, right? So we're going to let others have their say too on this, right, tonight?

Mr. Fields: Absolutely.

Mr. Howard: Okay.

Mr. Fields: But I'm just saying, if you allow personal comment time, which has its value, you cannot then have the ruling on what is germane and not germane. You just have to realize that we're all seven people committed to the future of Stafford County, we're all appointed by elected officials from our districts, we represent different parts of the county, we represent different philosophies of land use in the county, and all of us are entitled to exactly the same privilege to say what we think is important in our personal comment time. If we are discussing a motion, then we have the rules of Roberts Rules of Order, we have the rules of appropriateness in discussing motions. If you have a personal comment time, then you have to simply say that everybody has their time limit. You can be tight on the time limit; if you want to reign in, you can say three minutes and that's it, five minutes and that's it. But you can't tell people what they can say or not say in that time.

Mr. Howard: Mr. Fields, no one is even suggesting that. Roberts Rules of Order apply during the entire meeting, just for the record. Again, I appreciate what you're saying and your perspective but I think we should give other people a chance to talk through what their thoughts are in terms of that.

Mr. Fields: Sure; I'm just trying to be clear.

Mr. Howard: You've been clear several times. Mr. Mitchell?

Mr. Mitchell: Mr. Chairman, I'm for the five minutes or three minutes or whatever as far as... you know, in my eight years on the Board, I saw many conversations, and Pete did too because Pete and I served together and Pete and I had our agreements and our disagreements. But, however, we both saw many people go way overboard. We saw people make what I call super inflammatory statements. We saw people that would try to slam another Supervisor or slam another position. So I think that there needs to be some rules of decorum that would prevent this from happening. And, like I say, in my five years now on this Planning Commission Board, there has to be some middle ground that would benefit everybody and not benefit one person or benefit two people. But if one person or two people tried to take over the meeting, then that deflects from what we're trying to do. I'm just saying that would be a potential. But to me, a simple three minute or five minute scenario at the start of the meeting might...

Planning Commission Minutes
June 2, 2010

and something that's germane to the topic, not something that happened three years ago, five years ago; something that would be germane to what we're discussing; something on the Comprehensive Plan, something on that's going to be approved or disapproved by us. So that's just me personally.

Mr. Howard: Thank you Mr. Mitchell. Mrs. Hazard?

Mrs. Hazard: Mr. Chairman, what this came out of was as part of our Planning Commissioner training, we had to go and watch other meetings. And so it's always interesting to see how other people do things and I was intrigued by how they had presented that. And then at the meeting we had attended just about two weeks ago, there was sort of a polling of all the Commissioners of whether they did this, what they did, how they did it, and the one that I watched was very much what I call a history of what's going on in that particular district. It was hey, this is coming up, there's a public information system. It was very much information that somebody in your district might turn on, hear what's going on and say oh, there's going to be a road closure coming up, I didn't see it, great. And I'm not saying that's our job but, if it does come across your desk, it's nice to get it out to as many people. And the one that I witnessed was much more of a here's what's going on in our district and was not used in the way that others fear. And I'm not saying it can't be used that way, but the one that I did see was very germane and I thought provided actually a good service to the people in that district as well as others, since many of us travel through each other's district to get places and just highlighted some things going on. So, that's where this may have come from or the bug that I put in the Chairman's ear. It was a good process to watch and it was intriguing that many Commissions do do it.

Mr. Howard: Thank you Mrs. Hazard. Mr. Hirons, did you want to comment?

Mr. Hirons: My only real comment is like I said before, I think it would be a good thing for this Commission to actually do get talking and chat with each other. To a certain extent that's what it is, a three minute chat. But my comment is I would like to stay at three minutes. Three and five minutes were thrown out there; I think five minutes could be too long for some of us who are a little bit more long-winded or can't get thoughts out like myself. So, my comment there is three minutes would be preferred.

Mr. Howard: I appreciate that. Ms. Kirkman, I don't know if you have anything else to add?

Ms. Kirkman: Well, again, you know, so long as what we're not talking about is there being deciding what's germane or not by a majority vote. I do think that that creates problems and I think we need to recognize if it's three minutes to have your say as a Planning Commissioner, it's three minutes to have your say as a Planning Commissioner as long as the rules of the quorum and respecting one another are abided by.

Mr. Howard: Thank you; I agree with that. Yeah, the desire is not to censor anybody. In Roberts Rules there is a process if someone is called out of order or ordered out of order, there is a process that you can go through the vote to just determine, was that really out of order or not, and the Commission has that discussion, not as a way to be political. I don't want to be political and I don't think I can say it enough... I don't want to hear anybody else on here be political to be honest with you. It's quite frankly a waste of my time and, if I were to become political and have speeches, it would be a waste of your time. So, I'm not up for that, because if you had three minutes for every person, that adds time to our night and there isn't a person on this dais that doesn't work hard during the day during other things. So, I know that. Everyone has other responsibilities to include their family, let alone their jobs that they have. Including the staff; they don't need to hear us either. But things that are germane to

Planning Commission Minutes
June 2, 2010

whether it's Rock Hill, in my case, or it's Hartwood or it's some other magisterial district, to Holly's point I think the public could benefit. If the public is not going to benefit from the comment, we probably shouldn't be bringing it up. So that's where I was coming from. And again, I thought of when Mrs. Hazard mentioned it, I was thinking more of the School Board. They do a very, very good job; that's the best practice they have over there across the street. They get a lot of criticism for a lot of things but, the truth is, that is one thing that they do very well and have done well for years. And if you've ever gone to a meeting or watched it, it's good to hear that. It's good to hear that level of discussion with those types of professionals recognizing of course they have different perspectives and opinions. And they should. If everyone has the same opinion, there is no need for anybody but the one person, so you save a lot of money doing that. Okay, so here are my thoughts on it. Let's muddle it around. We can always bring it up. Again, I don't think we're going to have a lot of time on June 16th but certainly in the July meeting. And since we're going to probably bring the Code of Ethics into July, that might be a good time to sort of resurrect this discussion. I certainly appreciate everybody's comments. I think everyone was very candid and that's always a positive when people are candid and they talk opening and honestly about what their apprehensions are what some of their concerns are. I think that helps us become stronger for the County. I mean, we're here to serve as well. And we are appointed but, at the same time, we have a responsibility. And I know each and every one of us, including Mr. Rhodes who's not here this evening, takes that responsibility very, very seriously and I appreciate that about everybody. So, we'll now move into...

Ms. Kirkman: Mr. Chair, can I just get clarification on something you just said? You said we'll be bringing in the Code of Ethics?

Mr. Howard: No, no, no. Since we're bringing the Code of Ethics to the agenda...

Ms. Kirkman: Okay, thank you. I thought there may be something already written up. I just wanted to...

Mr. Howard: There actually is. I have something I started writing. Would you like a copy of it?

Ms. Kirkman: Yeah, that'd be great, since you've already started working on it.

Mr. Howard: Okay. I'll send it to everybody. Mr. Harvey, Planning Director's Report?

PUBLIC HEARINGS

None

PLANNING DIRECTOR'S REPORT

Mr. Harvey: Thank you Mr. Chairman. Yesterday the Board had a very busy meeting. To summarize the things that affect the Planning Commission, the Board had its public hearings and recommended and adopted approval of the three applications for the Vulcan Quarry, the Comprehensive Plan Amendment, Rezoning, as well as Conditional Use Permits. The Board accepted the withdrawal of the JDH Rezoning; that was a rezoning on Route 1 in the Boswell's Corner area. After the Board's hearing, the applicant requested withdrawal. In your packet of information at your desk, we have information from the Board of Supervisors regarding their request that the Commission work on a voluntary TDR Program and develop the ordinance and Comp Plan revision for that purpose. Also, the Board referred two Ordinances to the Planning Commission for your consideration. One deals with

Planning Commission Minutes
June 2, 2010

developer securities for subdivision applications and that's to bring our local Ordinance into compliance with changes to the State Code; and also an amendment to change the definition of immediate family member. The State Code also recently changed to allow transfer of land for a family subdivision to a spouse of an immediate family member. Our Ordinance currently says "spouse" but that's different than spouse of an immediate family member, so that subtle difference will have to be corrected in the Ordinance as well. The Board also had discussion about transportation planning and has made a recommendation that directly affects the Planning Commission. There was discussion about the role of the Transportation Bond Committee and I have included the staff report from that discussion as well. Basically, the Commission had previously been involved in looking at transportation funding and potential allocation of priorities for that funding and making recommendations to the Board. That's something that now the Transportation Bond Committee will be doing at the Board level. So, the main focus of the Planning Commission's transportation related functions will be geared towards long range planning matters such as our Long Range Transportation Plan, issues dealing with pedestrian and bicycle planning as well. And also, for the Commission's information, a change in subject slightly; last week we received the revised application for the Sycamore Hills Subdivision. However, it was not here within the time period to get it on the agenda for tonight's meeting and so we've tentatively scheduled it for the June 16th meeting.

Mr. Howard: Okay. Mr. Harvey, can you go back to the Transportation Bond Committee responsibilities. How does this impact us again?

Mr. Harvey: Previously, the Commission was charged with looking at funding for transportation improvements, the six year plan, congestion mitigation funding, surface transportation funding, the state recommendation for overall primary interstate six year plan funding. Also issues dealing with FRED and those types of situations, which that will now be taken up by the Board's Bond Committee.

Mr. Howard: Who is the Board's Bond Committee?

Mr. Harvey: I forget the exact membership. I can get that information to you.

Mr. Howard: Okay.

Mr. Hirons: Mr. Chairman, I have a question for Mr. Harvey about the request for the TDR Ordinance. Did they give us any sort of guidance on that outside of develop a voluntary ordinance and insert it into the Comprehensive Plan?

Mr. Harvey: It is very broad, just that general guidance.

Mr. Hirons: First question is, how does the time limit work on that as far as just the general concept of they sent this to us? How does the time limit factor in when we need to take action on it? Is this a sixty day thing or unlimited?

Mr. Harvey: Normally, Mr. Hirons and Mr. Chairman, when there's broad direction, that gives the Planning Commission time to develop something. There's no specified timeline unless the Board says we want it by a certain date. If they give you a specific proposal like here is an ordinance, then you are on a specific timeline.

Mr. Hirons: And Mr. Chairman, I'm perplexed by this. I know TDR's are good in concept; I'm very concerned about developing a good solid ordinance that will be good for the County and good for our

Planning Commission Minutes
June 2, 2010

Comprehensive Plan as a whole. I'm a little worry that they've suggested here to develop an ordinance and Comprehensive Plan provisions for voluntary TDR... my assumption is they mean by the time we go to public hearing with the Comprehensive Plan as we're going through the revisions now, they want a TDR Ordinance in that Plan or reference an Ordinance in some fashion. I'm just not comfortable with the timeframe. I really don't want the Comprehensive Plan process to be slowed down any more with something that's now just hitting our desk in June. July is going to be the earliest we'll have discussion about it really to get it into the Comprehensive Plan that we're talking about hopefully having public hearings in September on. I don't know what we can do about it but I'd really like to ask the Board to not require us to have this Ordinance done prior to moving forward on the Comprehensive Plan measure. I think we've had some general discussion in our Comprehensive Plan Review Committee about the TDR concept and including language within the Comp Plan that the County should explore using TDR's and enacting a TDR Ordinance. But the way this reads to me, they want us to have an Ordinance done before we move forward on the Comp Plan, and I just don't like it.

Mr. Howard: Okay. Any other questions on anything Mr. Harvey has presented in his...

Ms. Kirkman: Mr. Harvey, this is an additional three pieces of legislation the Board has sent to us. They are sending fairly frequently legislation to us now yet the Board had articulated that they did not want us working on the Reservoir Protection Overlay District until after the Comprehensive Plan because all our energies needed to be focused on the Comprehensive Plan. Did the Board give any reason for why we should work on these three pieces... in the discussion about this like why this is so important it needs to be done now when we can't work on the Reservoir Protection Overlay District?

Mr. Harvey: Ms. Kirkman, Mr. Chairman, these items were on the Board's Consent Agenda so there was no discussion.

Ms. Kirkman: Okay; thank you for that clarification.

Mr. Harvey: Mr. Chairman, if I may, the Commission could consider requesting some guidance from the Board as to what their intention is with regard to this. I have not heard any specific discussion that the TDR portion has to be in this current Comprehensive Plan draft. That's one question in my mind as to whether that was...

Mr. Howard: Right; could this be something that we amend it down the road and this gets edited... it sounded like there was an issue with some of the wording that didn't really map to the state requirements, is that right, in the TDR piece? So, it was the terminology change that you mentioned, is that correct? Or was that one of the other Ordinances?

Mr. Harvey: That was a different Ordinance.

Mr. Howard: Okay.

Mr. Harvey: From a staff perspective, the TDR Program and Comp Plan and Ordinance is going to be pretty involved. It will take multiple months to work through.

Mr. Howard: So, why don't we do that. If it's the will is everyone in agreement, why don't we get clarification on... well, we can ask the two questions. One was Ms. Kirkman's because this will clearly slow us down a little bit which we don't want to do and we're sort of really coming to a point

Planning Commission Minutes
June 2, 2010

where the Planning Commission itself is going to be spending a lot of time going through detail maps and language and all types of things at the next couple of meetings I would think. Certainly in August and plus we only have one in August and July.

Ms. Kirkman: And, Mr. Harvey, perhaps we could get, I mean, at least prior to the current revisions that have been made to it. The draft of the Comprehensive Plan last year did have broad enough policies regarding TDR's that it could support ordinances in the future. At least, it used to be that way; I don't know what it looks like now. But it might be helpful to just pull out for the Commission the language that's in the Comp Plan draft now about TDR's to see if it's broad enough to support legislation in the future.

Mr. Howard: Yeah, I think that's a good idea.

Mr. Fields: Because it really does say two different things here. The Board requested the Planning Commission consider development of a new Ordinance for TDR. In addition, appropriate provisions should be included in the Comprehensive Plan to allow for TDR's. So, that's an indicator that vis-a-vis the current Comprehensive Plan, our action on TDR is just to make sure as we're going through it that the provisions for TDR's exist in the language of the Comp Plan. It seems pretty clear that they don't anticipate a TDR Ordinance.

Mr. Hirons: I want to make sure it's clear (inaudible).

Mr. Fields: I agree with Mr. Hirons.

Mr. Howard: I think those are all good points. Is that clear, Mr. Harvey, on what we need?

Mr. Harvey: Yes.

Mr. Howard: Perfect. Okay, County Attorney's Report? Were you done Mr. Harvey?

Mr. Harvey: Yes sir.

Mr. Howard: Thank you.

COUNTY ATTORNEY'S REPORT

Mrs. Roberts: Nothing new.

Mr. Howard: Nothing to report. Committee Reports. We really only have one... well, there's two active committees. Mrs. Hazard?

COMMITTEE REPORTS

Mrs. Hazard: Well, as we have stated, we continue to meet on our Thursday nights. We have had more people coming to the meetings which is actually, as Mr. Hirons said, welcome. We continue to work through the requirements of the UDA's of how we're going to handle that and I would echo Mr. Hirons' comments about we don't want to run too quickly into what the legislation looks like now. We need to move forward with what's best for Stafford and continue with the maps and the comments to date. I think we've spent a lot of time on the text, not really modifying as much as people may seem

Planning Commission Minutes
June 2, 2010

to think. We've, I think, tried to add and we certainly welcome comments. We welcome comments from these Commissioners and from the public and as we move forward. And we'll be there at six o'clock tomorrow night in Conference Rooms ABC.

Mr. Howard: Thank you. In terms of the combined Board and Planning Commission, we did not attend last weeks' meeting so there is no update at this time for that. But we certainly will announce when that combined group will be getting together again, well in advance of the meeting.

Ms. Kirkman: Mr. Chair, there was a question we agreed to table until now and then I have some additional ones for the two Committees. One of the things that would be helpful is to get a clarification about what the difference is in the work between what the Planning Commission Subcommittee is doing and how that differs from the Joint Committee.

Mr. Howard: Okay.

Ms. Kirkman: So we can know where is the appropriate place to address questions.

Mr. Howard: Sure. The Planning Commission... there's overlap now though Ms. Kirkman, so initially the Planning Commission Committee was solely focused on the text contained within the Comp Plan. And the Combined Committee was focused on the Land Use Map only. And then, since we've had joint meetings and now you're trying to map text to the map and making sure everything does make sense, both Committees really have had involvement on both. But I would say that the Joint Committee has had significantly less involvement in the text. So, we haven't really looked at any of that other than the strawman document that was created out of the Joint Committee. So, that's the only text that the Combined Committee, the Joint Committee, really had any involvement on. But there's been no involvement... I haven't even asked for an update, I haven't been to their meetings purposely. No one has a copy that I'm aware of anyway of the Land Use Map with boundaries. I don't have it, no one else that I'm aware of has it. I'm sure staff can create or generate or has looked at it, but no one on the Board of Supervisors has that map either. Depending on your question, you can just serve it up and if it can be answered...

Ms. Kirkman: Whoever wants to answer it. Well, sure, let's start with the one that got tabled which is if you're not looking at parcel lines, how did you draw the boundaries for the UDA's?

Mr. Howard: The technical sense of boundaries don't exist today yet. What we was we, part of the goal on the Land Use Map was to reduce the number of I guess definitions involved in an attempt to make it easier and a little bit more simplified in terms of how somebody would look at the map. And right now it's, for the most part, just color-coded. We used what was previously existing and sort of used that as a starting point. We also mapped the sewer, the existing utilities, to the Urban Service Areas as they exist today and as they are being proposed. So there was a map that was created a couple years ago I think that we resurrected and kind of looked at that. And that we handed out at one of our meetings here. So, we used that also to make sure that we were not increasing... not to say that that won't be the case because, to your point, we don't have the lot lines down yet. But we were trying to look at that to say okay, we didn't want to extend sewer, we didn't want to increase the County's demand currently other than the density pieces or density components of some of the UDA's that were required by the State to identify and make sure that we can reach those density targets that they certainly will be holding us accountable to.

Planning Commission Minutes
June 2, 2010

Ms. Kirkman: Well, Mr. Chair, I'm looking at the map that was provided to the Planning Commission and it looks significantly different than the maps that were under consideration last year. And, again, I don't feel that my question has been answered because although you talked about generally in a big picture way how you looked at this, I would like to know how it was that for UDA number 8, the line is here and not there, if you weren't looking at parcel lines.

Mr. Howard: I don't know. I can't answer your question because I don't have the map in front of me but we can get you the answer.

Ms. Kirkman: Well, perhaps Mr. Harvey, your staff had to create the map; how did your staff know to put the lines for the UDA's?

Mr. Harvey: The staff made an interpretation of the strawman document and did an initial draft. And then there was also comment from the Joint Committee that some of our drawn boundaries were probably too specific and they asked us to make them larger to cover a broader area. Further concerns that Mr. Howard had expressed, that we potentially could be targeting specific properties and they wanted to have it more general and broad so there would not be the situation where we're identifying a specific property owner's property for a UDA.

Ms. Kirkman: So there was a map before this that the Joint Committee looked at and gave feedback that it was too specific and to make it larger?

Mr. Howard: No, it was the map that was created from the committee that was in place last year.

Ms. Kirkman: No, that's...

Mr. Howard: No, that was the starting point.

Ms. Kirkman: Sure. So there was that map and then, Mr. Harvey, you referenced the map that staff interpreted the strawman document, came up with a map, and then got feedback that the boundaries were too specific?

Mr. Harvey: Yes. We took the existing zoning map and hand-drew in what we interpreted as a strawman for initial discussion. And then from that point in time there was discussion that we needed to consider amending the boundaries of several of the UDA's to make them more broad.

Ms. Kirkman: And that discussion occurred at one of the Joint Committee meetings?

Mr. Harvey: That's my recollection.

Ms. Kirkman: Okay. And how much total acreage is in the UDA's now?

Mr. Harvey: Ms. Kirkman, I have to check the documentation. I don't have it here with me tonight.

Ms. Kirkman: Okay. And, this isn't for you Mr. Harvey; thank you for your assistance there. In the UDA document, the text, so I guess this could be either the Joint Committee or the Planning Commission Subcommittee, there's very clear specifics in there. So a thousand condos here, a UDA there with 150 acres; where did that level of specificity come from? What was the thought process in deriving that or how did you come up with those very specific numbers?

Planning Commission Minutes
June 2, 2010

Mr. Hirons: I don't know if you're trying to get at some of the discussion that's happened here before or if these are plans that have come before the County or something, at another point. If they are, I know nothing about them. And in particular, the Leeland Station one. I'm not overly excited about the Leeland Station UDA but the way I understand it is it was mostly from making good use out of our assets. And Leeland Station, the Brook Run, the Widewater one, are along a rail line. And the types of dwellings you are going to have along that area in that type of area, in an Urban Development Area, are typically going to be condos. So I think it was taking a general sense of the square footage or the square acreage of the area and how many dwelling units could fit in there. Like I said, the draft of the UDA documents came to us from Supervisor Sterling, that's who I received it from, who sat down and drew out the numbers. I'd hate to say I don't think he's smart enough to do that. I think it was more of kind of guesstimating more than anything based off of experience.

Mr. Howard: Well, it was really based off of what the State mandate is, too, with the UDA requirement. And then where can the County actually facilitate that type of growth and density. And there was a different school of thought I think previously that you could sort of funnel it into one or two areas. And then as we looked at the road transportation, the infrastructure, and we looked at alternative modes of transportation, it became apparent that having more than one UDA was probably for Stafford County a better approach because we're not in Arlington and we're not in Alexandria, as examples, of where you can go multiple levels in terms of vertical. You know, we just heard in Falmouth there's a debate; can we go three stories or should it stay two stories? Those similar debates are taking place in every other magisterial district and that's kind of a combination of all that. What can you actually fit without... the goal is not to continue the sprawl because that has been a problem for the County and nobody wants to do that. And by picking other UDA's as either alternatives or spreading the UDA's out into specific areas in the County where again there's some existing roads, there's also some road improvements proposed, and leveraging the rail was a goal that we looked at in order to accommodate that. And again, we haven't even gotten into some of the FRED buses. The UDA's, by definition, would have to be connected according to the State mandate. And the way they would be connected is through a system similar and/or the actual FRED bus line itself. So you could travel from one UDA in the County to another without the use of your vehicle because the State's mandating that because of the size of the County, recognizing there's environmental impacts, there's other things that a UDA is intended to accomplish of your County and also the State. So that's part of the thought process that went into some of that.

Mr. Fields: Mr. Chairman, I really hate to hammer at this point and maybe Mr. Sterling is probably the appropriate person at this point to ask this question to. I understand the concepts here. I think maybe Ms. Kirkman's concern and my concern also is I understand big picture, believe me. I'm the worst case guy for big picture stuff. So you have here George Washington Village at 10,334,400 square feet of commercial retail and office.

Mr. Hirons: Can we hold this discussion for one second Mr. Fields? I'm sorry, at our last committee meeting I believe Joey was working on some of the build-out information along with the GIS folks, if I'm not mistaken. So what I wanted to make sure we understood was yeah, the document did have some specificity on the numbers but staff is actually going through and getting correct numbers as far as what could be built-out. If I'm not mistaken, Mr. Harvey, I think that was sort of the discussion at our last committee.

Mr. Harvey: Yes, we were working on a table that showed development in the future inside the UDA's and outside the UDA's and then by land use categories that are shown on the map.

Planning Commission Minutes
June 2, 2010

Mr. Hirons: Sorry Mr. Fields.

Mr. Fields: No, no, no... that's fine.

Mr. Hirons: I just wanted to make sure that was clear that, yeah, there was some draft there but we actually are having the professionals give us some numbers which are significantly different in some instances. And also, I believe the draft that was presented at our last meeting has been posted to the County website.

Mr. Harvey: Yes.

Mr. Hirons: So the latest and greatest is accessible.

Mr. Fields: Alright then.

Ms. Kirkman: And am I correct in understanding that there's also been a change in the thinking in the committee about how the build-out will be calculated? That every Comp Plan up to this point has calculated build-out by looking at what the potential is based on, existing zoning and the land use projections, but they are going to be calculating it different? There's a change in the methodology of how the growth is going to be calculated, is that correct?

Mr. Howard: I don't know of the change but, again, I'm not intimately involved in the text.

Mrs. Hazard: I think right now we're in the gathering all the information because, like you said, we have so many documents with so much different square feet that we're trying to have staff come and bring to us what are the real numbers, let's see it under the scenarios that you've been given so we understand them and make sure that we, whatever methodology we use which I'm not sure has been chosen, we understand why it's been used and why it should be used in the future.

Mr. Howard: I think, Mr. Harvey, doesn't the State from a UDA perspective also, they actually determine how to calculate the density, if I'm not mistaken. I thought there was a, maybe I'm wrong, there was a specific reference to how that gets calculated in a UDA.

Mr. Harvey: Mr. Chairman, the State law now says that we have to use the State's projections for future growth. We have the choice, in the UDA's, looking at ten years or twenty years and it has certain parameters of what the density is. But it's up to the locality to determine the size, the extent and the number of units in that UDA or UDA's.

Mr. Howard: Right, okay.

Ms. Kirkman: But, again, this gets back to whether or not these color-coded areas are real or not because you can't do any of the calculations that my colleague from Hartwood was talking about unless you know your exact acreage. So, I don't understand how staff can engage in that exercise in a reliable and accurate way.

Mr. Howard: Ms. Kirkman, what's been identified is the acreage required. What has not been identified is where that acreage from a lot line perspective would be designated because we don't want to pick... again, I go back to I don't want to make a developer rich in Stafford County, that's not the goal. The goal is to have Stafford grow in a way that benefits all the County residents. So, we know

Planning Commission Minutes
June 2, 2010

in terms of the square, if you want to call it square footage, if you want to call it square miles, square acreage, we know what typically would be required for mixed use. And if you recall, earlier on we talked about form based codes and we talked about other counties and municipalities were leveraging that type of thought process. Some of that thinking is incorporated into this as well. So you know from a square footage perspective what you would need. What you are asking is to identify the parcels which we don't believe there's a need to do at this moment in time. There is a need, of course, to get to the calculation and to meet the density requirement to know what the square footage would be to do that. But we don't have to identify what parcel that exists on today. That's why this map is general in nature in terms of how it's been color-coded.

Ms. Kirkman: Thank you.

Mr. Howard: You're welcome. And the other thing is, I think everyone understands to a certain extent Stafford County is one of those counties in Virginia that you're sort of handcuffed in terms of what you can demand from a developer. But we're trying; some of the thought process that's gone into this is, you know, you're going to step up way more than you have in the past in terms of supporting the County with parks, with infrastructure, which means roads, with supporting other mechanisms that you may not have supported in the past. And, again, I think everyone knows we can't force offsite proffers, if you will, in the County; you can't mandate it. But we're trying to craft this document in a way that the outside world recognizes that that's going to be the way it happens in Stafford. If you're going to come in here and you're going to play in the County, you're going to participate in growth from a financial perspective. So that's one of the goals as well and I think there's been some misinterpretation out there. But that is one of the goals. And it's hard to do because you can't mandate it by the State Codes, especially in Stafford County. I wish we could.

Ms. Kirkman: And, because this may save us some time on the 16th, there's a new proposed VRE station down in the southern part of the County, it looks like maybe off of Route 3? I was surprised to see that. My understanding was the Route 3 UDA had been taken off the table. So what is that doing on here?

Mr. Howard: I don't know when you got the map; I'm not sure. There was discussion with the Joint Committee and that was one of those meetings where actually Mr. Crisp was in attendance and participated in the meeting and actually gave us great ideas about some of the other components that we've incorporated. And I don't know what's supposed to be on that map so I'm not sure.

Mr. Hirons: Actually I remember that meeting and I think we had a little bit of discussion about it at our last Committee meeting. We didn't get really good guidance from, in particular, Supervisor Crisp since it is the George Washington District down there, on the need, want, desire for that to be there or not be there.

Mr. Howard: Right, for the railroad station. You're right, he was clear on the proposed UDA that was in there which is now removed.

Mr. Hirons: Again, the idea behind the rail station is just taking more advantage of the actual rail (inaudible) the County.

Mr. Howard: Well, it's there. It exists on Route 3 as a fairly major route, a major road for us. I don't know the answer; we can get you an answer on that.

Planning Commission Minutes
June 2, 2010

Mr. Fields: Can I ask a question again? I'm not trying to be confrontational but I just want to get my concerns out there so when we have a broader discussion they are all in there, since I'm not able to make any of these meetings. When you're talking about the use of rail, I mean, has there been a discussion about the distinction between using rail in a transit sense with how transit oriented development is, what that means really is subways and streetcars and that sort of thing, as opposed to privately owned heavy rail, which is what we have going through Stafford. For example, the idea that you could get CSX to even marginally agree to putting a station in between the Fredericksburg station and Leeland Station seems to me to be relatively far-fetched. And I'm not being critical on anybody's ideas. I know people are just thinking about ideas and that's great. I'm just concerned some things get utilized as a device that are perhaps far from realistic. Remember that these lines are owned by CSX and CSX decides what goes up and down them at what rate, there is no particularly etched in stone thing that says VRE can continue to exist if CSX doesn't want it to exist. And long distance heavy rail is a very different animal than urban light rail transit in terms of its utilization. So, I'm just wondering... has that been part of the dialogue? The distinction between long distance heavy rail versus urban light rail?

Mr. Howard: There was a lot of discussion, Mr. Fields, on that comment. Would the rail really allow that additional stop because it slows them down, right.

Mr. Fields: Right.

Mr. Howard: And the thought was, probably not. And that's when we had the heart to heart discussion about the UDA and what else that meant to that particular part of the County. And the UDA came out; I thought the rail was coming out myself. But, in terms of alternative rail, we've had some discussion and it's been very preliminary. One discussion is could you do an east/west trolley car or some other mode of transportation down on Route 610 or down on Route 17. Yeah, we've had those discussions but nothing is in the text or in writing because, the truth is, to your point we're not railroad people. And certainly we think we've got a good handle on what roads need to be repaired and upgraded for a variety of reasons. Some are safety, as you mentioned earlier tonight; others are capacity. There's been no real good answer to that. But the thought was if you have these different UDA's, could you actually, and I mentioned the FRED bus, but could you create alternative transportation so people are not using vehicles, whether it's even specific bike routes to those UDA's that are segregated and safe. Where I live, I'm amazed at the people who ride their bikes on Mountain View. And you're coming up to them and it's dusk and you say Oh My God I almost hit this person. And you have one choice, you either go in the oncoming or you hit your brakes and you hope you don't hit them. So, it doesn't mean people shouldn't be allowed to ride their bikes in Stafford County. But those are the conversations that we've had. We don't have good answers for them though. I wouldn't say we crack the code on that.

Mr. Fields: Alright, thank you.

Mr. Howard: But we obviously need to come back. And I'm hoping in July we come back and have a robust meeting with all these topics and more obviously.

Ms. Kirkman: And while we're on that topic, Mr. Chair, could you clarify what our meeting schedule is for June because the draft schedule for the Comprehensive Plan listed two possible additional meetings for the Planning Commission the last two Wednesdays of June.

Planning Commission Minutes
June 2, 2010

Mr. Howard: That's a great question. We have not changed the Planning Commission calendar at this point. So, I do not anticipate the extra meetings in June. I do anticipate that we'll probably need at least one additional meeting than what we have scheduled, Ms. Kirkman, in order to allow this body to come back and really go through the Comp Plan. And that would be Comprehensive Plan focused.

Ms. Kirkman: And at what time of year are you planning on that meeting taking place because we had changed the calendar early in the year so that people could make summer plans.

Mr. Howard: Right. We know when you're on vacation and that's when we're going to plan it.

Ms. Kirkman: It wouldn't surprise me since Mr. Fields seems to have a similar experience.

Mr. Howard: We don't have a firm date. Is there a date you would like us to avoid?

Ms. Kirkman: What I would like to do is get the calendar set and that be the schedule that we stick to.

Mr. Howard: And I think that's a fair request which we cannot do tonight. But we certainly can do it at the June 16th meeting.

Ms. Kirkman: That's fine.

Mr. Howard: Okay. I'm not going to ask you, Mr. Mitchell.

Mr. Mitchell: I was going to do one clarification. My wonderful colleague, Pete, the VRE is going to be around forever. Even if it stops to exist, the contracts were signed in perpetuity.

Mr. Fields: Okay.

Mr. Mitchell: There are no completion dates, end dates, and they are in perpetuity contracts. I did not get on the Board in time to vote for it or against it, however, when I did get on the Board, I found out that it is a permanent issue. It will not go away.

Mrs. Roberts: And, Mr. Mitchell, could I have you state the definition of perpetuity?

Mr. Mitchell: Forever and ever and ever.

Mr. Fields: The arrangement to have capacity with CSX was in perpetuity or the existence of VRE?

Mr. Mitchell: The existence of VRE as a corporate entity, as a contract was signed by all parties with no expiration date. It was one of the things I objected to but the other Supervisors had voted for it. I did not get a chance to vote against it or for it, either one, because when I came on the contracts were signed. But the actual VRE contracts are forever.

Mr. Fields: And I understand your opposition, I mean, I don't mean to digress, but since the rail lines are controlled by a private corporate entity and this is a public corporation, you have to kind of match apples and apples. A public corporation existing in perpetuity assuming their willful access to a private corporation's resources is a little misguided. I appreciate your principle stand; I'm sorry you didn't carry the day.

Planning Commission Minutes
June 2, 2010

Mr. Howard: Anyway, thank you Mr. Mitchell. Any other business? Okay, anyone want to move for the approval of the minutes of April 21st?

CHAIRMAN'S REPORT

OTHER BUSINESS

APPROVAL OF MINUTES

April 21, 2010

Mr. Fields: Move.

Mr. Mitchell: I move for approval, Mr. Chairman, of the...

Mr. Howard: Mr. Fields moved; do you want to second?

Mr. Mitchell: I second.

Mr. Howard: Any discussion on the minutes? I actually viewed this video so I am going to vote on these minutes. Hearing no discussion, call for a vote. All those in favor say aye.

Mrs. Hazard: Aye.

Mr. Fields: Aye.

Mr. Mitchell: Aye.

Ms. Kirkman: Aye.

Mr. Hirons: Aye.

Mr. Howard: Aye. Opposed? The motion carries 6 to 0 with one absent. The meeting is adjourned.

ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:40 p.m.

Gordon Howard, Chairman
Planning Commission